

121903

16867 U.S. PTO

## UTILITY

PATENT APPLICATION  
TRANSMITTAL(Only for new nonprovisional applications  
under 37 CFR 1.53(b))Attorney Docket No.: D/A3360Q1  
XERZ 2 00688

Total Pages: 75

First Named Inventor or Application Identifier

Calabria et al.

Express Mail Label No.: EL 998016090 US

## APPLICATION ELEMENTS

See MPEP Chapter 600 concerning  
utility patent application contents.

## ADDRESS TO:

Mail Stop: Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification (Total Pages: 62)  
(incl. claims & Abstract)
3. ☒ Drawing(s) (35 USC 113) (Total Sheets: 8)  
☐ Informal ☒ Formal  
Use Figure 1 for front page of Publication.
4. ☒ Oath or Declaration (Total Pages: 2)  
a. ☒ Newly executed  
(original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]  
☐ i. **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
Inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference  
(usable if Box 4b is checked)  
The entire disclosure of the prior application, from  
which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the  
disclosure of the accompanying application and is  
hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(If applicable, all necessary)  
a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (Identical to computer copy)  
c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application,  
Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(If foreign priority is claimed)
16. ☐ Other:

17. ☐ If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

## 18. CORRESPONDENCE ADDRESS

- ☐ Same as prior application ☒ Correspondence address below

NAME	Mark S. Svat FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP				
ADDRESS	1100 SUPERIOR AVENUE, SEVENTH FLOOR				
CITY	CLEVELAND	STATE	OH	ZIP CODE	44114-2579
COUNTRY	USA	TELEPHONE	(216) 861-5582	FAX	(216) 241-1666

19. ☒ The filing fee is calculated below:

Date of Deposit: December 10, 2003  
I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Laurie A. Boylan  
Laurie A. Boylan

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	57 - 20 =	37	x \$ 18	= \$666.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	6 - 3 =	3	x \$ 86	= \$258.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	\$ 290	= \$ 0.00
BASIC FEE (37 CFR 1.16(a))				\$770.00
TOTAL				= \$ 1,694.00

20. ☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to **Xer x Corporation**, Account No. 24-0037. *An additional copy of this form is enclosed.*

21. ☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

22. ☐ A CIP declaration is enclosed.

23. ☒ Power of Attorney

- a. ☐ The power of attorney appears in the original papers of the enclosed prior application.  
b. ☐ Enclosed is a copy of the declaration and power of attorney from the enclosed prior application.  
c. ☒ A new declaration with power of attorney is enclosed.

24. ☐ The following inventors named in the prior application are deleted per 37 CFR 1.53(b)(1), 1.63(d)(2) and 1.33 (b):

25. ☐ This application is adding one or more inventors under 37 CFR 1.48 to a previously executed application, with an enclosed: petition, fee, newly executed declaration from all inventors, and written consent of the assignee.

26. ☐ This application claims the priority benefit of one or more Provisional Application No(s). and the first sentence of this application has been or will be amended to so indicate.

27. ☐ This application is NOT to be published under 35 U.S.C. 122(b). The undersigned attorney or agent hereby certifies pursuant to 37 CFR §1.213, that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

28. ☒ The assignee of this application to be indicated on its publication is PALO ALTO RESEARCH CENTER INCORPORATED.

29. ☐ Other paper(s) enclosed:

19 December 2003  
Date

Respectfully submitted,

Alan C Brandt  
Alan C. Brandt  
Signature per 37 CFR 1.33 & 34  
Registration No. 50,218  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP  
1100 Superior Avenue - 7<sup>th</sup> Floor  
Cleveland, OH 44114-2579  
Telephone No. (216) 861-5582